

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
FAYETTEVILLE DIVISION

IN RE:

TOPPOS, LLC

CASE NO: 23-02889-5-PWM

DEBTOR

CHAPTER 7

**MOTION TO REDUCE TIME AND EXPEDITED HEARING ON EMERGENCY
MOTION TO DIRECT TURNOVER AND DELIVER PROPERTY OF THE ESTATE
PURSUANT TO 11 U.S.C. § 542**

NOW COMES John C. Bircher III ("Trustee") in the above referenced case, and requests an order shortening time for the filing of a response and set an expedited hearing on the Trustee's Emergency Motion to Direct Turnover and Deliver Property of the Estate Pursuant to 11 U.S.C. § 542 ("Turnover"), and in support, shows the following:

1. The Debtor filed a Petition for relief under Chapter 11 of the United States Code on October 5, 2023. On December 12, 2023, the Court appointed John C. Bircher III the Chapter 11 Trustee. On April 30, 2024, the case was converted to Chapter 7 and John C. Bircher III was appointed Trustee.

2. The Trustee requests shorten time to respond to the Turnover Motion as Trustee has yet to receive July rent deposits from Debtor's Affiliates, and the fluid nature of cash creates tracing and dissipation issues that must be addressed expeditiously for fear of loss of estate value to the detriment of creditors of the Estate.

3. The Trustee requests that the time be shortened to September 4, 2024 at 5:00 p.m. with an expedited hearing set for September 5, 2024 at 11:00 a.m. at 300 Fayetteville Street, 2nd Floor Courtroom, Raleigh, NC.

WHEREFORE, the Trustee requests that the time for filing responses to the Turnover be shortened to September 4, 2024 by 5:00 p.m. with a hearing date of September 5, 2024 at 11: 00 a.m. at 300 Fayetteville Street, 2nd Floor Courtroom, Raleigh, NC

Dated: 08/29/2024

s/John C. Bircher III
John C. Bircher III
N.C. State Bar No. 24119
DAVIS HARTMAN WRIGHT LLP
Attorneys for Trustee
209 Pollock Street
New Bern, NC 28560
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CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that he is over eighteen (18) years of age and the MOTION TO REDUCE TIME was this day served upon the below named person, as indicated:

Brian C. Behr
Bankruptcy Administrator
(via CM/ECF and email transmission)

I certify under penalty of perjury that the foregoing is true and correct.

Dated: 08/29/2024

s/John C. Bircher III
John C. Bircher III
N.C. State Bar No. 24119
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